

0024



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155
<http://www.blm.gov>



IN REPLY REFER TO:
UTU-73335 (LMU)
U-5287, U-50044
(UT-923)

70060100 0001 7691 3960

JAN 18 2007

Sandra
1-12-07

P. Brinton

1/16/07

Certified Mail-Return Receipt Requested

Mr. Ronald Stovash
Senior Vice President -- Coal
CONSOL ENERGY
Consolidation Coal Company
CNX Coal Operations Support
1800 Washington Road
Pittsburgh, PA 15341-1421

Draining
c/o 15/0015

Re: Minor Modification to the Resource Recovery and Protection Plan (R2P2), Full Extraction Mining, Emery Mine

Dear Mr. Stovash:

On November 27, 2006, the Bureau of Land Management (BLM) received a request (dated November 8, 2006) from Consolidation Coal Company to modify the subject R2P2 and to adjust their LMU. The R2P2 modification expands the mine plan and reflects full extraction tonnages and techniques for both of Consol's Federal coal leases (U-50044 and U-5287).

Consol requests that additional acreage be added to the LMU, and plans further expansion of this mine in the I coal seam to the north and east of the new 4th East portal. The R2P2 modification request cites the new portal location and the sealing of a portion of the old works as reasons for requiring the modification. Access to LMU reserves from the old portal location is no longer possible due to the sealing; however, reserves on both Federal coal leases, U-5287 and U-50044, are accessible from the new portal. Mine maps showing drillhole locations and locations of cross sections, coal ownership, ventilation plans, and timing sequence have been submitted. This modification request provides for full pillar extraction.

The BLM approves the subject R2P2 modification, which allows for a more efficient mine plan and a longer useful life of the recently-constructed 4th East Portal. Maximum Economic Recovery (MER) of coal on the subject Federal leases will be achieved by full extraction mining. The combined recoverable reserve base tonnage for the two lease tracts (labeled F-9 and F-10 in the R2P2 request) remains unchanged at 4,892,000 tons, according to Table 1 of the LMU / R2P2 modification request documents.

The approval of a minor modification to an existing R2P2 is Categorically Excluded from National Environmental Policy Act (NEPA) analysis since no new surface disturbance will occur from this action. (Overview of BLM's NEPA Process, February 1997, Appendix 2, page 2-7 (F)(7).)

Consol's proposed change to the R2P2 complies with the Mineral Leasing Act of 1920, as amended, the regulations at 43 CFR 3480, the lease terms and conditions, and will achieve Maximum Economic Recovery (MER) of the Federal coal. A copy of the approved mine map is enclosed.

If you have any questions, please contact Steve Rigby of the Price Field Office at (435) 636-3604 or Jeff McKenzie of my staff at (801) 539-4038.

Sincerely,

JAMES F KOHLER

James F. Kohler
Chief, Solid Minerals

Enclosure:

Approved Mine Maps

cc: Price Field Office (w/encl.)
Utah Division of Oil Gas and Mining (w/o encl.)
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801
Price, UT-070

Consol Emery R2P2 Mod mining 1-12-07 ph-sa

| SENDER: COMPLETE THIS SECTION | | COMPLETE THIS SECTION (TO DELIVERY) | |
|---|--|--|--|
| <p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> | | <p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> | |
| <p>1. Article Addressed to:</p> | | <p>B. Received by (Printed Name) C. Date of Delivery</p> | |
| <p>Mr. Ronald Stovash Senior Vice President -- Coal CONSOL ENERGY Consolidation Coal Company CNX Coal Operations Support 1800 Washington Road Pittsburgh, PA 15341-1421</p> | | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> | |
| <p>2. Article Number (Transfer from service label)</p> | | <p>Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> | |
| <p>3. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> | | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> | |
| <p>7006 0100 0001 7691 3960</p> | | <p>691 3960</p> | |
| <p>PS Form 3811, August 2001</p> | | <p>AN 18 2007</p> | |

e Interior



Sandra
 1-12-07
 P. Brinton
 1/16/07

Mr. Ronald Stovash
 Senior Vice President -- Coal
 CONSOL ENERGY
 Consolidation Coal Company
 CNX Coal Operations Support
 1800 Washington Road
 Pittsburgh, PA 15341-1421

Re: Minor Modification to the Resource Recovery and Protection Plan (R2P2), Full Extraction Mining, Emery Mine

Dear Mr. Stovash:

On November 27, 2006, the Bureau of Land Management (BLM) received a request (dated November 8, 2006) from Consolidation Coal Company to modify the subject R2P2 and to adjust their LMU. The R2P2 modification expands the mine plan and reflects full extraction tonnages and techniques for both of Consol's Federal coal leases (U-50044 and U-5287).

Consol requests that additional acreage be added to the LMU, and plans further expansion of this mine in the I coal seam to the north and east of the new 4th East portal. The R2P2 modification request cites the new portal location and the sealing of a portion of the old works as reasons for requiring the modification. Access to LMU reserves from the old portal location is no longer possible due to the sealing; however, reserves on both Federal coal leases, U-5287 and U-50044, are accessible from the new portal. Mine maps showing drillhole locations and locations of cross sections, coal ownership, ventilation plans, and timing sequence have been submitted. This modification request provides for full pillar extraction.

The BLM approves the subject R2P2 modification, which allows for a more efficient mine plan and a longer useful life of the recently-constructed 4th East Portal. Maximum Economic Recovery (MER) of coal on the subject Federal leases will be achieved by full extraction mining. The combined recoverable reserve base tonnage for the two lease tracts (labeled F-9 and F-10 in the R2P2 request) remains unchanged at 4,892,000 tons, according to Table 1 of the LMU / R2P2 modification request documents.